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7 THE WAVE STUDIO, LLC

8
9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12 THE WAVE STUDIO, LLC, a New York
13 Limited Liability Company,

14 Plaintiff,

15 v.

16 VISA INC., a Delaware Corporation, and DOES
1-100,

17 Defendants.
18

Case No.: 3:15-CV-00239-JST

**STIPULATION TO TRANSFER CASE TO
THE SOUTHERN DISTRICT OF NEW
YORK AND (PROPOSED) ORDER
THEREON**

19 Plaintiff, The Wave Studio, LLC (“Plaintiff”), and Defendant Visa Inc. (“Visa”), by and
20 through their attorneys of record hereby agree and stipulate as follows:

21 The Parties stipulate that the above-captioned proceeding shall be transferred to the
22 Southern District of New York. Visa believes this case is related to litigation currently pending
23 before Hon. Cathy Seibel and Hon. Paul E. Davison of the Southern District of New York, styled
24 *The Wave Studio, LLC v. General Hotel Management, et al.*, Case No. 7:13-cv-09239-CS-PED
25 (S.D.N.Y.)(the “GHM Action”) and should therefore be consolidated with the GHM Action.
26 Plaintiff denies this action is related to the GHM Action. The parties agree that the transfer
27 stipulated here is without prejudice as to the issue of consolidation with the GHM Action and that
28

1 upon transfer to the Southern District of New York, Visa may seek to file a motion to consolidate
2 this action with the GHM Action.

3 THEREFORE, THE PARTIES HEREBY STIPULATE that this action be transferred to the
4 Southern District of New York.

5 IT IS SO STIPULATED.

6 DATED: June 15, 2015

COBALT LLP

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8 By: /s/ Vijay K. Toke
9 Vijay K. Toke

10 Attorneys for Plaintiff
11 THE WAVE STUDIO, LLC

12 DATED: June 15, 2015

LEWIS ROCA ROTHGERBER LLP

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14 By: /s/ Jonathan W. Fountain
15 Jonathan W. Fountain

16 Attorneys for Defendant
17 VISA INC.

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

19
20 Dated:

21 Hon. Jon S. Tigar

22 UNITED STATES DISTRICT JUDGE
23

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25 ///

ATTESTATION OF CONCURRENCE

I, Vijay K. Toke, attest that I am one of the attorneys for Plaintiff The Wave Studio, LLC, a New York limited liability company, and, as the ECF user and filer of this document, I attest that, pursuant to United States District Court, Northern District of California Civil L.R. 5-1(i)(3), concurrence in the filing of this document has been obtained from Jonathan W. Fountain, the above signatory.

Dated: June 15, 2015

By: /s/ Vijay K. Toke

Vijay K. Toke